

Abstract – The issue of the concept of criminal custody

The thesis provides a comprehensive overview of selected issues relating to criminal custody, one of the means of securing an accused person for the purposes of criminal proceedings and sentence execution, provided for in the Act on Criminal Procedure. After a concise introduction, the thesis examines the historical development of custody as regulated in the Act No. 141/1961 Coll., on Criminal Procedure. Limits of restricting personal liberty are then discussed from the viewpoint of the Czech Constitution and international commitments of the Czech Republic. The principle part of the thesis deals with material and formal custody law. It defines the term ‘custody’ and elaborates on the conditions of the imposition of custody, especially with regard to the particular grounds of custody. The section dealing with formal custody law is focused on the provisions regarding the decision process on custody, custody hearing, the examination of the existence of grounds of custody, the maximum duration of custody and the setting off a custody period against a term of imprisonment when the accused is found guilty. Due regard is also given to alternatives to custody, since the accused can only be deprived of personal liberty when the purpose of custody cannot be achieved by alternative means. The specificity of custody of juvenile offenders is also addressed. The final part of the thesis examines recent developments related to custody, mainly the often discussed custody time limits, conditions in custody and electronic monitoring as an alternative to custody *de lege ferenda*.